



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/JDG/CMP
F.#2008R00530

271 Cadman Plaza East
Brooklyn, New York 11201

April 8, 2012

By Electronic Mail

Adam D. Perlmutter, Esq.
260 Madison Avenue, Suite 1800
New York, NY 10016

Samuel M. Braverman, Esq.
901 Sheridan Avenue
Bronx, NY 10451

Re: United States v. Thomas Gioeli, et al.
Criminal Docket No. 08-240 (BMC)

Dear Counsel:

Pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, the government hereby provides additional notice regarding the anticipated testimony of Dr. Frede Fredric, M.D., whom the government expects to call as a witness on April 9, 2012. The government also renews its request for reciprocal discovery from the defendants, including notice of any anticipated defense experts.

As detailed in the government's expert disclosure letter dated March 5, 2012, the government will seek to qualify Dr. Fredric as an expert in forensic pathology. As we previously discussed, in addition to the anticipated testimony the government proffered in its March 5, 2012 letter, Dr. Fredric is expected to testify about the following: (a) the medical records pertaining to Frank Marassa dated May 22, 1991 and the cause of the injuries sustained by Marassa detailed in those records (which are marked for identification as GX 300b); (b) the medical records pertaining to Dmitrious Rizopolous dated January 10 and January 16, 1992 and the cause of the injuries sustained by Rizopolous detailed in those records (which are marked for

Adam D. Perlmutter, Esq.
Samuel M. Braverman, Esq.
April 8, 2012
Page 2

identification as GX 301b); (c) the medical records pertaining to Thomas Gioeli dated March 27, 1992 and the cause of the injuries sustained by Gioeli contained in those records (which have been admitted in evidence as GX 302b); and the medical records pertaining to Peter Guarnieri dated November 1, 1993 and the cause of the injuries received by Guarnieri detailed in those records (which are marked for identification as GX 303b).

If you have questions or requests regarding the contents of this letter, please contact us.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/
Elizabeth A. Geddes
James D. Gatta
Cristina M. Posa
Assistant U.S. Attorneys

cc: Defense Counsel (by ECF)